

In the United States Court of Federal Claims

OFFICE OF SPECIAL MASTERS

JOHN F. BELFIORE,

Petitioner,

v.

SECRETARY OF HEALTH
AND HUMAN SERVICES,

Respondent.

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No. 09-765V

Special Master Christian J. Moran

Filed: August 14, 2013

Attorneys' fees and costs; stipulation
of fact; award in the amount to which
respondent does not object

Diana L. Stadelnikas, Maglio Christopher and Toale, Sarasota, FL, for Petitioner;
Lisa A. Watts, United States Department of Justice, Washington, D.C., for Respondent.

UNPUBLISHED DECISION ON FEES AND COSTS¹

On August 8, 2013, petitioner filed a stipulation of fact concerning final attorneys' fees and costs in the above-captioned matter. Petitioner informally submitted an application for attorneys' fees and costs ("Application") to respondent. As the result of informal discussions, petitioner amended his Application, requesting a total of \$53,108.00. In compliance with General Order #9, petitioner states that he incurred no costs in pursuing his petition. Respondent does not object to the total amount requested by petitioner. The Court awards this amount.

Petitioner filed his petition on November 9, 2009, and was awarded compensation on July 29, 2013. Judgment entered on July 30, 2013. Because petitioner received compensation, he is entitled to an award of attorneys' fees and costs. 42 U.S.C. § 300aa-15(e).

Petitioner seeks a total of **\$53,108.00** in attorneys' fees and costs for his counsel. Respondent has no objection to the amount requested for attorneys' fees and costs.

After reviewing the request, the Court awards a check made payable to petitioner and petitioner's attorney, Diana L. Stadelnikas, in the amount of **\$53,108.00** for attorneys' fees and

¹ The E-Government Act of 2002, Pub. L. No. 107-347, 116 Stat. 2899, 2913 (Dec. 17, 2002), requires that the Court post this decision on its website. Pursuant to Vaccine Rule 18(b), the parties have 14 days to file a motion proposing redaction of medical information or other information described in 42 U.S.C. § 300aa-12(d)(4). Any redactions ordered by the special master will appear in the document posted on the website.

other litigation costs. The Court thanks the parties for their cooperative efforts in resolving this matter.

The Clerk shall enter judgment accordingly.²

IT IS SO ORDERED.

s/Christian J. Moran
Christian J. Moran
Special Master

² Pursuant to Vaccine Rule 11(a), the parties can expedite entry of judgment by each party filing a notice renouncing the right to seek review by a United States Court of Federal Claims judge.